

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

JAMES I. BURLISON, et al.,)
)
Plaintiffs,)
)
vs.) No. 07-2151-JPM-cgc
)
UNITED STATES OF AMERICA,)
)
Defendant.)

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is the Report and Recommendation of Magistrate Judge Charmiane Claxton (Docket Entry ("D.E.") 63). The Magistrate Judge recommends that the Plaintiffs' Motion to Exclude Evidence and Testimony of Defendant's Expert Surveyor William Bennett (D.E. 48) be denied.

No party objected to the Report and Recommendation within the fourteen days provided for in 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72. Upon de novo review of the Report and Recommendation, the Court ADOPTS the Report and Recommendation in its entirety and DENIES Plaintiffs' motion.

IT IS SO ORDERED this 11th day of February, 2010.

/s/ Jon P. McCalla
JON P. McCALLA
CHIEF U.S. DISTRICT JUDGE